

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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KONINKLIJKE PHILIPS N.V. and U.S.  
PHILIPS CORPORATION,  
  
Plaintiffs,  
  
vs.  
  
DIGITAL WORKS, INC., et al.,  
  
Defendants.

2:13-cv-01341-RCJ-NJK

## ORDER

16 This matter came before the Court on Defendants Marc Caramadre, Jeff Johnson, and  
17 Dustin Nielson's Motions to Extend Time to Answer Complaint. Docket Nos. 26, 27, and 28,  
18 respectively. The Court has reviewed the Defendants' Motions and finds these motions are  
19 appropriately resolved without oral argument. Local Rule 78-2.

## BACKGROUND

21 Defendant Jeff Johnson was served on July 30, 2013, making his answer to the Complaint  
22 due August 20, 2013. Docket No. 11. Defendant Dustin Nielson was served on July 31, 2013,  
23 making his answer to the Complaint due August 21, 2013. Docket No. 19. Plaintiffs have not  
24 filed a proof of service for Defendant Marc Caramadre.

25 On August 19, 2013, the above three defendants filed individual motions requesting  
26 additional time to file answers to the Complaint. Docket Nos. 26, 27, and 28.

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## **DISCUSSION**

Pursuant to LR 6-1, every motion to extend time filed before the expiration of the specified deadline shall inform the Court of any previous extensions granted and state the reasons for the extension requested. Here, Defendants have indicated that this is a complex matter and they require additional time to retain counsel. Therefore, the Court finds that additional time to answer the complaint is appropriate under LR 6-1. The parties have not specified the length of time they require, accordingly, the Court finds that 30 days from the date Defendants filed their motions is sufficient. Defendants shall have until **September 19, 2013** to respond to the Complaint, whether or not these individual Defendants retain counsel during this period of time.

Next, the Court notes that Allegro Media Group is the only corporate defendant who appears to have retained counsel. *See* Docket No. 24. None of the other corporate defendants has responded to the Complaint or made any other appearance through counsel. However, a corporation cannot appear except through counsel. *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Therefore, the corporate defendants shall have until **September 19, 2013** to retain counsel and respond to the Complaint.

Finally, as stated above, Plaintiffs have not filed a proof of service for Defendant Marc Caramadre. Plaintiffs must file proof of service as to Marc Caramadre no later than **August 28, 2013**.

## CONCLUSION

Based on the foregoing, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant Marc Caramadre's Motion to Extend Time to Answer Complaint (#26) is GRANTED.

IT IS FURTHER ORDERED that Defendant Jeff Johnson's Motion to Extend Time to Answer Complaint (#27) is GRANTED.

IT IS FURTHER ORDERED that Defendants Dustin Nielson's Motion to Extend Time to Answer Complaint (#28) is GRANTED.

IT IS FURTHER ORDERED that Defendants Marc Caramadre, Jeff Johnson, and Dustin

1 Nielson shall have until **September 19, 2013** to respond to the Complaint, whether or not these  
2 individual Defendant retain counsel.

3 IT IS FURTHER ORDERED that Plaintiffs must file proof of service as to Marc  
4 Caramadre no later than **August 28, 2013**.

5 DATED this 21st day of August, 2013

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8 **NANCY J. KOPPE**  
9 United States Magistrate Judge

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